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UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN RICHARD JAE,  
Plaintiff,

: CIVIL NO: 1:CV-00-0315

:

: (Judge Rambo)

v.

:

: (Magistrate Judge Smyser)

KENNETH K. KYLER,  
JOHN A. PALAKOVICH,  
WILLIAM J. RHOADES,  
MARTIN DRAGNOVICH,  
OFFICER RUBENDALL, and  
OFFICER RAGER,  
Defendants

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FILED  
HARRISBURG, PA

MAR 07 2001

MARY E. DANHEA, CLERK

PER 9/18 DEPUTY CLERK

ORDER

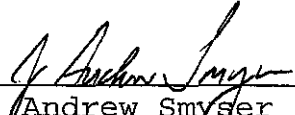
On October 17, 2000, the defendants filed a motion for summary judgment and a statement of undisputed facts. After receiving a number of extensions of time, the defendants filed a brief in support of their motion for summary judgment on December 5, 2000. The plaintiff requested and received an extension of time until February 16, 2001 to file a response to the defendants' statement of material facts, a brief and any summary judgment evidence he has in opposition to the motion for summary judgment.

On February 28, 2001, the plaintiff filed a second motion for an enlargement of time to respond to the defendants' motion for summary judgment. The plaintiff requests the he not be required to respond to the summary judgment motion until thirty days after the court rules on his motion for sanctions, his motion for an order requiring the defendants to permit him to communicate with an inmate at SCI-Camp Hill and his motion for an order requiring Chaplain Vogel and Officer Craig to sign affidavits for him. Those other motions were filed by the plaintiff on February 28, 2001.

We will grant the plaintiff an extension of time. However, we will not grant the plaintiff an indefinite extension of time tied to rulings on other motions.

AND NOW, this 7<sup>th</sup> day of March, 2001, **IT IS HEREBY ORDERED** that the plaintiff's second motion (doc. 83) for an enlargement of time to respond to the defendants' motion for summary judgment is **GRANTED IN PART**. The plaintiff shall file a response to the defendants' statement of material facts, a

brief and any summary judgment evidence he has in opposition to the motion for summary judgment on or before May 4, 2001.

  
\_\_\_\_\_  
J. Andrew Smyser  
Magistrate Judge

Dated: March 7, 2001.

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

March 7, 2001

Re: 1:00-cv-00315 Jae v. Kyler

True and correct copies of the attached were mailed by the clerk  
to the following:

John Richard Jae  
SCI-GREENE  
#BQ-3219  
175 Progress Drive  
Waynesburg, PA 15370

Michael L. Harvey, Esq.  
Office of Attorney General  
Strawberry Square  
15th Floor  
Harrisburg, PA 17120

Susan J. Forney, Esq.  
Office of Attorney General  
Strawberry Square  
15th Floor  
Harrisburg, PA 17120

cc:

Judge  
Magistrate Judge  
U.S. Marshal  
Probation  
U.S. Attorney  
Atty. for Deft.  
Defendant  
Warden  
Bureau of Prisons  
Ct Reporter  
Ctroom Deputy  
Orig-Security  
Federal Public Defender  
Summons Issued

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( ) Pro Se Law Clerk  
( ) INS  
( ) Jury Clerk

Standard Order 93-5  
Order to Show Cause

( )  
( )

with N/C attached to complt. and served by:  
U.S. Marshal ( ) Pltf's Attorney ( )

with Petition attached & mailed certified mail  
to: US Atty Gen ( ) PA Atty Gen ( )

Bankruptcy Court ( )  
Other \_\_\_\_\_ ( )

DA of County ( ) Respondents ( )

MARY E. D'ANDREA, Clerk

DATE: 3/7/01

BY:   
Deputy Clerk